

MARCUS A. BERG, ESQ.  
Nevada Bar No. 9760  
[marcus@mossberglv.com](mailto:marcus@mossberglv.com)  
JOHN C. FUNK, ESQ.  
Nevada Bar No. 9255  
[john@mossberglv.com](mailto:john@mossberglv.com)  
MOSS BERG INJURY LAWYERS  
5420 W. Sahara Avenue, Suite 101  
Las Vegas, Nevada 89146  
Telephone: (702) 222-4555  
Facsimile: (702) 222-4556  
*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

KAREN MARIE KOCH,

Plaintiff,

v.

WALMART INC., a Foreign Corporation  
d/b/a Walmart #2593; DOES I through X;  
and ROE CORPORATIONS I through X,  
inclusive,

Defendants.

**CASE NO. 2:23-cv-01534-CDS-EJY**

**STIPULATION AND [PROPOSED]  
ORDER TO EXTEND DISCOVERY  
DEADLINES**

**[FIFTH REQUEST]**

The parties to this action, Plaintiff, KAREN MARIE KOCH (“Plaintiff”), and Defendant, WALMART INC. (“Defendant”) and (collectively, the “Parties”), by their respective counsel, hereby stipulate and request that the Court approve their request to extend the discovery deadline until January 27, 2025, pursuant to Local Rule IA 6-1 and Local Rule 26-3.

Pursuant to Local Rule IA 6-1(a), the parties hereby aver that this is the fifth discovery extension requested in this matter.

**DISCOVERY COMPLETED TO DATE**

1. On November 9, 2023, Plaintiff served her initial FRCP disclosures.
2. On November 16, 2023, Defendant served its initial FRCP disclosures.
3. On January 9, 2024, Plaintiff served her first supplemental FRCP disclosures.
4. On January 10, 2024, Plaintiff served her First Set of Interrogatories and Request for Production of Documents.
5. On March 18, 2024, Plaintiff served her second supplemental FRCP disclosures.
6. On April 8, 2024, Plaintiff served her third supplemental FRCP disclosures.
7. On April 16, 2024, Plaintiff served her fourth supplemental FRCP disclosures.
8. On April 24, 2024, Defendant served its First Set of Interrogatories, Requests for Production, and Requests for Admissions to Plaintiff.
9. On May 20, 2024, Plaintiff served her fifth supplemental FRCP disclosures.
10. On June 3, 2024, Plaintiff served her sixth supplemental FRCP disclosures.
11. On July 22, 2024, Plaintiff served her seventh supplemental FRCP disclosures.
12. On July 26, 2024, Plaintiff served her eighth supplemental FRCP disclosures.
13. On August 7, 2024, Plaintiff served her ninth supplemental FRCP disclosures.
14. On August 9, 2024, Plaintiff's deposition was taken.
15. On August 15, 2024, Defendant served its initial expert disclosures.
16. On August 15, 2024, Plaintiff served her initial expert disclosures.
17. On August 15, 2024, Plaintiff served her tenth supplemental FRCP disclosures.
18. On August 19, 2024, Defendant's employee, Heidi Williams' deposition was taken.
19. On September 10, 2024, Plaintiff served her eleventh supplemental FRCP disclosures.
20. On October 24, 2024, Plaintiff served her twelfth supplemental FRCP disclosures.

1 21. On November 8, 2024, Plaintiff served her thirteenth supplemental FRCP disclosures.

2 22. On November 12, 2024, Defendant's 30(b)(6) witness deposition was taken.

3 23. On November 19, 2024, Plaintiff served her fourteenth supplemental FRCP disclosures.

4 24. On November 26, 2024, Plaintiff served her fifteenth supplemental FRCP disclosures.

5  
6 **DISCOVERY TO BE COMPLETED**

- 7
- Deposition of Expert John Peterson (*scheduled on December 13, 2024*)
  - 8 • Deposition of Expert Kathleen Hartmann (*scheduled on December 17, 2024*)
  - 9 • Deposition of Expert Reynold Louis Rimoldi, MD (*scheduled on January 6, 2025*)
- 10

11 The parties aver that good cause exists under Local Rule 26-3 for the requested  
12 extension being made at this time. Plaintiff is still undergoing treatment and medical records  
13 will need to be supplemented to the parties. The parties warrant and represent that this extension  
14 is in good faith and not for purposes of delay. As such, the parties are requesting a thirty-day  
15 extension of the discovery deadlines.

16  
17 **WHY DISCOVERY CANNOT BE COMPLETED**  
18 **IN THE TIME PROVIDED BY THE SCHEDULING ORDER**

19 Pursuant to Local Rule 26-3, good cause exists for the following requested extension.  
20 The parties seek this extension for the purposes of taking the deposition of Dr. Rimoldi and to  
21 potentially schedule a mediation. The parties have been co-operative and diligent in moving the  
22 case forward and participating in discovery, including exchanging their initial and supplemental  
23 lists of witnesses and documents and co-operating with records procurement and disclosures.  
24 Accordingly, the parties request that the current discovery deadlines be extended by 30 days,  
25 which will allow sufficient time for completing the deposition of Dr. Rimoldi. This extension  
26 results in no prejudice to either party as the parties are in agreement that a the extension is  
27 warranted under the circumstances.  
28

1 LR 26-3 governs modifications or extension of the Discovery Plan and Scheduling  
2 Order. Any stipulation or motion to extend or modify that Discovery Plan and Scheduling Order  
3 must be made within twenty-one (21) days before the expiration of the subject deadline and  
4 must comply fully with LR 26-3. This stipulation is made within 21 days of the expiration of the  
5 deadline and is the fourth request for an extension of time in this matter. The parties respectfully  
6 submit that the reasons set forth above constitute compelling reasons for this extension.  
7

8 If this extension is granted, the discovery deadline mentioned above should be concluded  
9 within the stipulated extended deadline. The parties aver that this request to extend the initial  
10 expert disclosure deadline is made by the parties in good faith and not for the purpose of delay.  
11

12 **[PROPOSED] NEW DISCOVERY DEADLINES**

13 Initial Expert Disclosures

14 Currently: August 15, 2024

15 Proposed: **CLOSED**

16 Rebuttal Expert Disclosures

17 Currently: November 25, 2024

18 Proposed: **CLOSED**

19 Discovery Cut-Off Date

20 Currently: December 27, 2024

21 Proposed: **January 27, 2025**

22 Dispositive Motion Deadline

23 Currently: January 23, 2025

24 Proposed: **February 26, 2025**

Joint Proposed Pre-Trial Order

Currently: February 22, 2025

Proposed: **March 28, 2025 or 30 days after resolution of dispositive motions per Local Rule 26-1(b)(5).**

**CURRENT TRIAL DATE**

No trial date has been set in this matter. This Stipulation is not made for purposes of undue delay of discovery or trial in this matter but is submitted in the interest of resolving the case on the merits.

DATED this 27<sup>th</sup> day of November, 2024

DATED this 27<sup>th</sup> day of November, 2024

**MOSS BERG INJURY LAWYERS**

**HALL & EVANS**

By: /s/ Marcus A. Berg

By: /s/ Kurt R. Bonds

MARCUS A. BERG, ESQ.

KURT R. BONDS, ESQ.

Nevada Bar No. 9760

Nevada Bar No. 6228

JOHN C. FUNK, ESQ.

TANYA M. FRASER, ESQ.

Nevada Bar No. 9255

Nevada Bar No. 13872

5420 W. Sahara Avenue, Suite 101

1160 North Town Center Drive, Suite 330

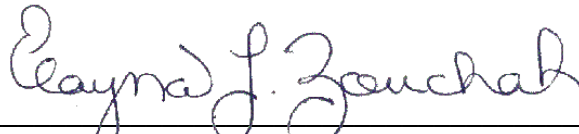
Las Vegas, Nevada 89146

Las Vegas, Nevada 89144

*Attorneys for Plaintiff*

*Attorneys for Defendant*

**IT IS SO ORDERED.**



**UNITED STATES MAGISTRATE JUDGE**

**DATED:** November 27, 2024